

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KALIE RAHE, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TAWNIE M. RAHE,

Respondent-Appellant.

UNPUBLISHED

December 12, 2006

No. 270232

Ingham Circuit Court

Family Division

LC No. 00-056071-NA

Before: Murphy, P.J., and Smolenski and Kelly, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

In order to terminate respondent's parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 WN2d 293 (1993). We review the trial court's findings in termination proceedings for clear error. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 256-257; 612 NW2d 407 (2000).

The trial court did not clearly err in finding that the statutory grounds for termination were met by clear and convincing evidence. After the minor child and her siblings were removed from respondent's care, respondent was slow to begin to cooperate with petitioner, to attend classes and therapy, and to comply with substance abuse screens. She refused to sever her contact with a boyfriend who was a convicted sex offender despite being told that the children would not be permitted in a home where he resided. Her testimony that she had broken off with the boyfriend was not credible because she had broken off with him in the past only to reunite with him and had recently misrepresented that she was living in her own apartment while actually residing with him. She also disappeared for three months during this case, during which time she was using cocaine and had been incarcerated. She was still subject to sentencing for an additional crime committed during this relapse. Upon review of the record, we find respondent's reliance on *In re Boursaw*, 239 Mich App 161, 168-178; 607 NW2d 408 (1999), overruled in part, *In re Trejo*, *supra* at 353, is misplaced. Unlike the respondent in *Boursaw*, there was no

evidence that respondent had made “significant strides” or that her priorities “did indeed lie with her daughter.” *Id.* at 176-177.

We further find that the trial court did not clearly err in finding that there was insufficient evidence to conclude that the child’s best interests precluded termination of respondent’s parental rights. MCL 712A.19b(5); *In re Trejo, supra* at 354-355. Although the trial court may not have presented the clearest possible articulation concerning the child best interests, neither the statute nor *Trejo* require more.

Affirmed.

/s/ William B. Murphy
/s/ Michael R. Smolenski
/s/ Kirsten Frank Kelly